REMARKS/ARGUMENTS

The Office Action dated March 13, 2006 has been carefully considered. Claims 26-57 are pending in the present application with claims 26, 28, 55 and 56 being in independent form. By the present Amendment, claims 26, 28 and 55 have been amended to further clarify the features of the present application.

The Examiner has withdrawn the indicated allowability of claims 26, 27, 31 and 56-57 in view of the newly discovered reference to U.S. Patent No. 4,349,118 to Sanderson et al. Applicant appreciates the Examiner's indication that claims 30 and 32-54 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Claims 26-29, 31 and 55-57 have been rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 4,349,118 to Sanderson et al. Reconsideration of this rejection is respectfully requested.

Regarding independent claims 26, 28 and 55, the Examiner contends that Sanderson et al. discloses all of the limitations thereof. Applicant respectfully disagrees.

In accordance with the present invention, the valve body is closed by virtue of the difference in pressure outside and inside of the container, that is, the valve body is responsive to the pressure flow in order to move into the closed position. In contrast, in Sanderson et al. the valve body is moved by a biasing spring force as is described in further detail below.

Sanderson et al., as understood by Applicant, relates to a container which includes a base 10, cover lid 12 and an internal supporter tray 14. Valve assembly 58 is attached to the circular wall section 55 of the lower wall 16 of base 10. The valve includes a valve member 60 made of a rubber-like material with a flat circular bottom 62 and an upwardly extending annular side wall 64 having an inner surface which resiliently engages the outwardly extending wall surface 53 to shield access from the container exterior into the interior by way of the valve opening 50. The valve member 60 is biased into a sealing engagement with the wall surface 53, that is, valve member 60 is biased into a normally enclosed position. In addition, a coil spring 75 may be positioned in the upper surface of the wall 60 of the valve member to bias the valve member into the closed position. A latching lever 78 is pivotally mounted to a pin 80 and biased in a clockwise direction by spring 81 to open the valve member. A metal fuse 84 is provided in the valve body 60 and helps to ensure that the lever 78 keeps the valve member open. When a sufficient temperature is reached, the fuse 84 melts and the resilient valve member 60, with the

additional urging of the spring 75, allows the valve member 60 to return to the closed position, as illustrated in Fig. 5 for example.

Sanderson et al. fails to disclose a sterilization container including "a valve body responsive to a pressure flow to urge the valve arrangement to the closed position" as is required by claim 26 of the present application. In Sanderson et al., the valve body 60 is naturally or ordinarily biased into the closed position. Further, the spring 75 is provided to further bias the valve body 60 into the closed position. Thus, the valve body 60 is urged into the closed position by a spring biasing force. Sanderson et al. makes no mention whatsoever of the valve body being responsive to pressure, is required by claim 1 of the present application.

Further, Sanderson et al. fails to disclose a sterilization container including a temperature sensor coupled to a stop and operable to urge to stop away from the stop position based on a set temperature reached before or during the ventilation phase. Rather, in Sanderson et al., the fuse 84 melts to allow the valve body 60 to return to the closed position before the end of the heating cycle and before the vacuum cycle. See Sanderson et al., column 5, lines 10-20. Thus, Sanderson et al. does not disclose a temperature sensor coupled to the stop operable to urge the stop away from the stop position based on the set temperature reached just before or during the ventilation phase. The fuse 84 in Sanderson et al. melts during the high temperature sterilization exposure phase substantially before the beginning of the ventilation phase.

Accordingly, it is respectfully submitted that independent claim 26, and the claims depending therefrom, are patentable over the cited art for at least the reasons described above.

With regard to claim 27, the Examiner contends that Sanderson et al. discloses that the temperature sensor, the fuse metal 84, exhibits hysteresis based on temperature. Applicant respectfully disagrees.

The section of Sanderson et al. pointed out by the Examiner, that is, column 5, lines 11-22 and column 6, lines 23-25, does not describe hysteresis. Sanderson et al. instead discusses a time delay in the reaction of the temperature sensor which has one closing temperature. The time delay described in Sanderson et al. is used to avoid the early heating or melting of the fuse 84, however, a simple time delay is not an example of hysteresis.

With regard to independent claim 28, Sanderson et al. fails to disclose a sterilization container including "a temperature sensor in the valve arrangement operable to prevent the valve arrangement from moving into the closed position until a set temperature cycle of the sterilizer is complete, wherein the temperature sensor is protected from premature cooling, " as required by claim 28 of the present application. The Examiner contends that Sanderson et al. discloses that the temperature sensor is protected from premature cooling because the valve stays closed during

cooling. However, as noted above, Sanderson et al. a time delay which prevents the premature melting of the fuse 84 and subsequent opening of the valve using lever 74 to release any vacuum in the container. Thus while Sanderson et al. disclose preventing premature heating or melting of the fuse 84, Sanderson et al. makes not mention whatsoever of preventing premature cooling of the temperature sensor.

Accordingly, it is respectfully submitted that independent claim 28, and the claims depending therefrom, are patentable over the cited art for at least the reasons described above.

With regard to independent claim 55, Sanderson et al. similarly fails to disclose a valve arrangement wherein a temperature sensor in the valve arrangement is operable to prevent the valve arrangement from moving to the closed position until the temperature sensor reaches a set temperature, "wherein the temperature sensor is isolated from a cooling effect of the sterilization process," as required by claim 55. As noted above, the delay described in Sanderson et al. is a time delay intended to prevent premature melting of the fuse 84 and is followed by opening of the valve to release the vacuum when desired. Sanderson et al., however, provides no disclosure whatsoever of isolating the temperature sensor from the cooling effect of the sterilization process as required by claim 55 of the present application.

With regard to independent claim 56, Sanderson et al. fails to disclose a method for operating a valve in a sterilization container including "closing the valve in response to a pressure differential," as is required by claim 56 of the present application. As is noted above, the valve body 60 in Sanderson et al. is closed purely on the resilient nature of the body and on the spring 75. Sanderson et al. fails to disclose closing the valve member in response to pressure differential.

Accordingly, it is respectfully submitted that claim 56, and the claims depending therefrom, are patentable over the cited art for at least the reasons described above.

Further, the present application relates to a sterilization container preferably used in a sterilization process that includes four phases, namely, a conditioning phase, a high temperature sterilization exposure phase, a vacuum drying phase and ventilation/aeration phase. Independent claims 26, 28 and 55 of the present application have been amended in order to specify these phases In accordance with the present invention, a valve body in the sterilization container remains open until the ventilation/aeration phase, or at least just prior to the ventilation/aeration phase. In contrast, in the Sanderson et al. reference, the valve body 60 is switched into the closed position at the end of the high temperature sterilization exposure phase. Further, once the valve body 60 moves into the closed position in Sanderson et al. it remains in the closed position.

Thus, in Sanderson et al., the valve body 60 remains in the closed position throughout the vacuum drying phase and the ventilation phase, in contrast to the present application.

In light of the remarks and the amendments made herein, it is respectfully submitted that claims 24-57 are patentable over the cited art and are in condition for allowance.

Favorable reconsideration of the present application is respectfully requested.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: June 9, 2006

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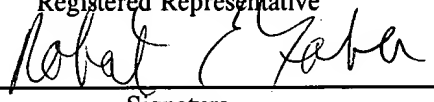
Name of applicant, assignee or Registered Representative



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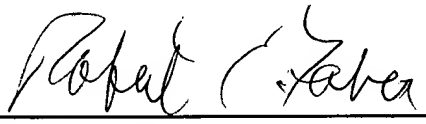
Respectfully submitted,



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